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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,710	07/28/2006	Ludwig Brehm	1093-160 PCT/US	1065

7590  
Hoffmann & Baron  
6900 Jericho Turnpike  
Syosset, NY 11791

EXAMINER
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EFTA, ALEX B

ART UNIT	PAPER NUMBER
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1791

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07/22/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 7/8/2010 have been fully considered but they are not persuasive.

a. Absent a properly filed Terminal Disclaimer the independent claims still stand rejected

b. With regards to Claim 4, in the Amendments to the Claims filed on 7/28/2006, the Office Action dated 10/28/2009 discloses its allowability if rewritten in independent form containing all the limitations therein. The allowable subject matter is as follows:

i. "...wherein in case b) or c) the adhesive layer of a radiation-crosslinkable adhesive is irradiated in a pattern form **prior** to application of the transfer film..." and, "the magnetic layer remains on the first film body in the first region which is structured in pattern form and in which the adhesive layer is not hardened and is removed with the carrier film in the second region which is structured in pattern form and in which the adhesive layer is hardened."

c. With regards to Claim 4, in the Amendments to the Claims filed on 7/8/2010, the allowable subject matter has been removed. The reasons are as follows:

ii. Claim 4 states, "the adhesive layer of the radiation-crosslinkable adhesive is hardened structured pattern form by a procedure whereby the

adhesive layer is at least on of..." and therefore the Markush group still contains three options.

iii. Claim 4 contains the hardening procedure of option a) which is still rejected over the art of record and the limitations following option a) are also still rejected. The Interview summary dated 5/17/2010 summarizes those limitations which belong to option a).

iv. Claim 4 states, "in cases b) and c) the irradiation operation is effected **prior to or after** application of the transfer film..." and therefore that irradiation no longer is required to be irradiated **prior** to the application of the film. However, Claim 4 also states, "wherein in case b) or c) the adhesive layer of a radiation-crosslinkable adhesive is irradiated in pattern form **prior** to application of the transfer film..." and therefore, the issue arises that the irradiation operation cannot occur after application of the transfer film if the claim were to be allowable.

d. The Examiner would like to provide possible amendments to Claim 4 to place the Application in condition for allowance. The Examiners proposals are as follows:

v. Remove option a) and all limitations depending therefrom **or** make the limitations of Claim 4, in the Amendments to the Claims filed on 7/28/2006, depend from option a).

vi. Replace **prior to or after** with **prior to**.

- vii. These recommendations may not be conclusive and additional modifications to the claims may be necessary.
- e. The Examiner would like to recommend additional measures to place the Application in condition for allowance.
- viii. Amend Claim 2 so that it depends on a non-cancelled claim.
- ix. File a proper Terminal Disclaimer.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEX EFTA whose telephone number is (571)270-7604. The examiner can normally be reached on Mon-Thurs 6:00am-4pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Phillip Tucker can be reached on (571)272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/ALEX EFTA/  
Examiner, Art Unit 1791

/Philip C Tucker/  
Supervisory Patent Examiner, Art Unit 1791